

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEBRASKA

WILLIAM J. MOYLE,	)	
	)	
Plaintiff,	)	8:12CV434
	)	
v.	)	
	)	
CONCRETE INDUSTRIES, INC.,	)	ORDER AND JUDGMENT
and ROGER T. CLARKE,	)	
	)	
Defendants	)	
	)	
v.	)	
	)	
MECHANICAL SYSTEMS, INC., and	)	
ACUITY INSURANCE COMPANY, its	)	
workers' compensation insurer,	)	
	)	
Intervenors/Defendants.	)	
_____	)	

Pursuant to the memorandum opinion entered herein this date,

IT IS ORDERED:

1) Defendants' motion for relief from judgment for lack of subject matter jurisdiction (Filing No. [124](#)) is granted.

2) The judgment in the amount of \$19,607,486.00 (Filing No. [108](#)) is set aside.

3) Plaintiff's amended complaint (Filing No. [27](#)) is dismissed without prejudice for lack of subject matter jurisdiction.

DATED this 22nd day of May, 2014.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court